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University of Michigan Law School

The Res Gestae

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Picozzi Hearing Gets Under Way

By Mark Harris

Testimony in the Picozzi hearing concluded Monday with UM attornev Peter Davis wrapping up his direct examination of James Picozzi. Picozzi was called by Davis as part of the University's effort to show that Picozzi is the individual responsible for setting the fire in his Law Quad room during the early morning hours of March 8. Testimony from Picozzi took up most of Monday's session.

Most of Davis' questions dealt with Picozzi's actions on the evening before the fire and detailed examination of Picozzi's movements in the room immediately before and after the fire broke out. Picozzi testified that he returned to his room at approximately 10:00 p.m. to study after visiting with some friends. He left the room at least twice, the last time to go to the bathroom at approximately 2:45.

Davis took Picozzi through a detailed accounting of his actions in the room including what he did with the clothes he was wearing, on which part of his waterbed he slept, and where he placed his wallet, keys, change, and boots. Picozzi stated that he placed his boots next to his bed on the window side and his jeans over a stuffed chair next to the window before retiring.

PICOZZI STATED THAT the first thing he remembered on waking was a "whooshing sound" and that he then saw flames near the door to his room. He testified that he rolled out of bed and pulled on his jeans and boots and then atempted to go through the flames to the door but was unable to reach the doorway because of the flames.

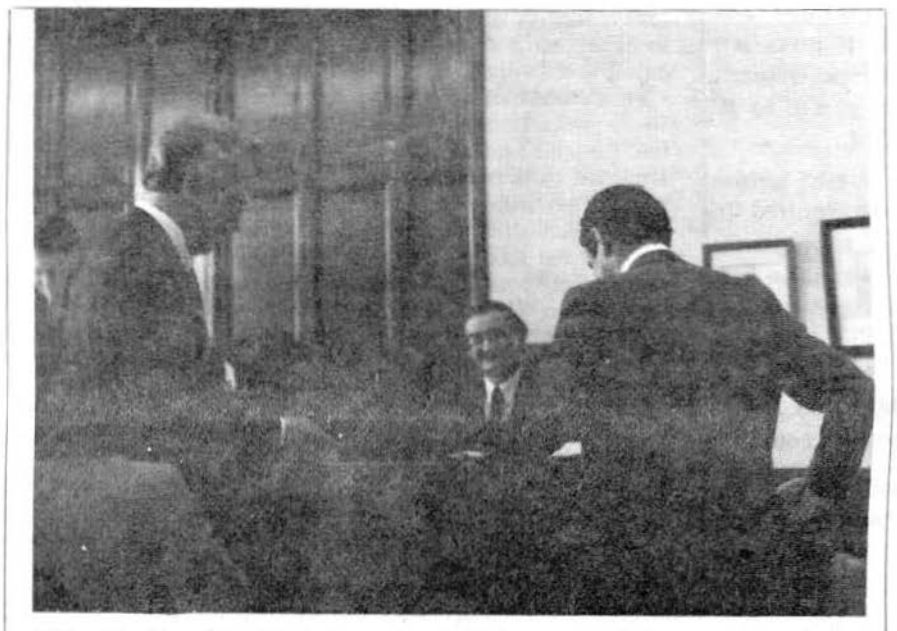
Eventually he was forced to the window-sill. Picozzi reported hearing other students yelling for him to stay down, and trying to open the door to reach him. Finally he saw a silhoutte of a person in the doorway before he fell to the ground.

Much of the testimony also centered on what Picozzi had been wearing. He contradicted earlier testimony by former law student Mike Rizzo who stated that Picozzi's left boot had been tied when he fell to the ground. Rizzo came upon Picozzi on the Tappan Street side of the Quad after Picozzi fell from the window. Picozzi stated that his boots had not been tied, but that the fire might have given him time to tie his boots if he had tried.

IN RESPONSE TO questions from Davis suggesting that Picozzi had had his jeans laundered after they were removed from him at the hospital in order to remove any traces of gasoline Picozzi denied that he had asked his mother to launder his jeans or that she had laundered them. The morning session ended with Davis directly asking Picozzi whether he had purchased gasoline from a Packard gas station that evening and whether Picozzi had set the fire. Picozzi answered no to both questions.

The afternoon session continued with Davis questioning Picozzi about events after Picozzi returned to his parents home in Pittsburgh. After leaving for Pittsburgh Picozzi sought affidavits from witnesses and police officers in Ann Arbor. Picozzi also taped four conversations he had with Ann Arbor police Det. Jahalke who was in charge of the arson investigation. In the tapes Picozzi inquired about the status of the

See PICOZZI, page three



University attorney Paul Davis shows cigarette lighter recovered from charred dorm room to James Picozzi, former U-M student, at hearing Monday.

Photo By Tom Morris

Organizations to Share Space

By Kim Cahill

The Law School Student Senate met Monday night to finally resolve the issue of allocating office space. Although the Senate did make a tentative resolution, there is still no final settlement of the situation.

Nine groups applied for the seven available offices. One of the new seventh floor rooms is being held as a conference room for any groups who wish to use a larger space for a meeting or a particular project. All of the groups provided written responses to the questionnaire that LSSS had formulated and distributed earlier this term.

LSSS RESOLVED TO have two groups share the largest basement office. Student Funded Fellowships (SFF) and International Law Society (ILS) will be sharing that office, LR109. The two groups will be splitting approximately 285 sq. ft. of office space.

The Senate also decided that Jewish Law Students' Union (JLSU) and Lesbian and Gay Law Students (LGLS) would share the seventh floor office. They will be splitting approximately 195 sq. ft. of space. Each group's application for office space cited substantial privacy needs, but the Senate believed that other considerations outweighed the two groups' need for individual offices.

Both SFF and ILS had indicated on their questionnaires that they would not be adverse to sharing space, citing their complementary use of the office. ILS uses the office intensively in the fall, to help orient new foreign students to the Law School, while SFF uses the office extensively in the spring to coordinate its fund-raising activities. SFF indicated that it was used to sharing space and as long as certain security arrangements could be worked out, they would continue to be acceptable. Senate Secretary Eric Hard proposed that LSSS obtain locking file cabinets for SFF and a secure storage area for ILS to facilitate the new sharing plan.

SENATORS FELT THAT all the other basement groups presented adequate reasons for keeping their current space. Third year represen-

See SENATE, page three

Correction

The Res Gestae apparently erred in reporting that applications to the law school have "plunged" last Wednesday. In fact they have dropped only a small amount if at all, according to Dean Stillwagon who phoned the RG that day. The "19½%" figure cited in the story, Stillwagon said, referred to national law school applications and not Michigan's. Actually we appear to be near the normal number. The RG regrets the error.

Campbell Competitors Tackle Rape Shield Law

By Vern Brown

Campbell Moot Court Competition moved into the semi-finals Monday afternoon as four teams presented arguments on Michigan's newly-enacted and controversial rape shield law.

When a woman accuses a television talk show host of rape, should evidence by admitted that she consented to sex with three other talk show hosts in the previous year? Especially since she was married and only accused the talk show host who was with her when her husband came home unexpectedly? This is what the competitors seek to resolve.

The judges who compose the Moot Supreme Court are U-M Law Profs. Reed, Israel, Payton, Van Hoek and McCree. Each contestant is allotted ½ hour to present their case and respond to the judges' questions. Monday's hearings produced prolific questioning from the Judges, which accounted for most of the time.

About 55 students attended the two hour session. Monday's competitors were Tom Mueller for the defense versus Rick Garcia and Lori McAllister for the State with Garcia handling the oral argument. Also competing were Ray Rundelli and Chuck Boerher for the defense with Rundelli doing the argument versus Rex Sharp and Mark Weinhardt for the State with Weinhardt arguing.

Campbell organizer Joe Gunderson was exceptionally pleased with this year's contestants. "You can tell the judges are obviously intrigued witht he issue and we expect the results this week," he said.

The Res Gestae

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More Credit for Case Club

Case Club is worth more than two credits.

The whole idea of Case Club is a great one, and nobody would advocate its demise. It gives law students one of their few true-to-life experiences, researching cases and writing, and is useful to all students who become lawyers in any field.

We're glad that someone decided to take writing skills seriously and to make Case Club a required first-year course. We think the decision to make the course ungraded was wise too. The emphasis here should be on achieving proficiency and on improvement, not on competition.

The only problem in establishing Case Club as a first-year requirement lay in finding room for it among a venerable stable of first-year courses. So Case Club was wedged in and Torts, which used to often encompass a whole year, was reduced to a four credit course. Case Club didn't therefore add any credits.

Except we do believe it added more work. Case Club may actually take up more time than any other first-year course. Even when a major writing project isn't due, there're always library exercises, LEXIS, and WESTLAW training, cite-form, and drafts to turn in. And research takes a huge amount of time, especially for the uninitiated.

It is common for first-years to get a week behind or more in their other classes while working on the brief. The brief itself is often one of the longest writing projects the law student has ever done, even including undergraduate term papers — and those courses were usually worth four credits.

These observations aren't intended to criticize the conduct of Case Club itself, but only to question why you only get two credits for it. It seems pretty arbitrary to give half the credits to a course for which you do more work.

Maybe it's because it seemed as though openly increasing the fall semester workload to more than seventeen credits was too much. But the workload is what it is. You do the student no favors by trying to pretend they're working less hard than they really are.

Or it could be because it's mandatory pass-fail, and there was reluctance to give that many credits pass-fail. We can only speculate. What we know is that Case Club and perhaps also Lawyers and Clients take as much time and effort, if not more, than the "traditional" courses but get less credit. WE think first-years should be given the credit they earn. Make Case Club at least a three-credit course.

Opinion

Your Dinner Causes Poverty

By Dave Kopel

Most Americans don't realize what a politically charged act shopping at a supermarket is. One's choice of food is a political act, and the choices most Americans make would appall them if they knew the facts. Because the modern food processing industry offers us so many neatly wrapped and plasticized foods, we rarely consider how that food is produced; we thereby ignore the way the American diet causes hunger in the third world. It's time we woke up. The food we eat is directly responsible for other people going hungry.

When some people talk about the American diet and world hunger, they argue that Americans should eat less grain-fed beef, so we could send more grain to the third world. But in fact, American food aid usually only worsens third world hunger, as I'll detail in my next column. The focus on more American food aid also distracts attention from analysis of the real causes of hunger in the third world: the inequitable distribution of resources.

In the vast majority of the third world, land distribution is grossly uneven. Landlords own huge tracts of the most fertile land, while the few peasants lucky to own an acre or so are stuck with marginal plots on poor soil. In 83 countries, 3 percent of land-owners control about 80% of the land. In Argentina, for example, 2% of the land-owners own 75% of the land.

People who own the land determine how it is used. While peasant small-holders might choose to grow food for their families, large land-holders are more attracted to high-paying cash crops for export. While every nation has enough arable land to feed its own people, too much land is used for export, instead of for food production. Thirty six of the world's forty poorest countries export food to North America. In West Africa's Senegal, vegetable exports to Europe took place while peasants were starving from the worst drought in decades; at the same time, 55% of Senegal's arable land was producing peanuts for export.

Distorted land use patterns like the one in Senegal are partly the result of Western colonialism. When France colonized Senegal, it set out to reform the Senegalese economy in France's interest. Taxes on local production, and the forcible imposition of a cash economy helped make Senegal dependent on French-made imports. To raise the cash to pay for those imports, Senegal's agriculture was forced to shift from food production for local markets to peanut production for export. If economic coercion did not work, the colonial authorities backed their demands with guns.

Senegal has been independent since 1960, but neo-colonial exploitation continues, abetted by local landlords, and the Senegalese government, which needs foreign exchange to pay for luxury consumption of imports by city-dwellers, and to pay the salaries of the bloated government payroll (which now employs as many people as the entire industrial sector combined).

Government associations have a legal monopoly on farm credit, tools, and marketing. The government uses the monopoly to coerce peasants into producing export crops, and to rob the peasants of the profits from those crops. When world peanut prices doubled between 1968 and 1973, the farmers only received 40% of the price increase.

Because poor urban dwellers pose the greatest threat of revolution, the Senegalese government also has an interest in keeping food cheap. Using the "socialist" land reform act of 1964, the government is taking land from the small farmers of the Balantas tribe, and giving it to "SODAGI" (a joint venture between the Senegalese government and a Texas agri-industrial firm.)

The government will use the rice from the project to improve its balance of payments, and to provide artificially cheap rice to the restive urban population. Poor people in the cities get inexpensive food; rich people in the cities get manufactured foreign imports; and multi-nationals and their Western customers get the food products they want. Meanwhile, small farmers and farm laborers get poorer and poorer.

Senegal's story is far from unique. Less than 60% of the world's arable land is being cultivated; in Africa and Asia, only 20% is. Most of that land is controlled by large land-owners, who use it to graze animals for export,or just leave it fallow. Nor is the current problem unique to this century. The story of cotton in America and potatoes in Ireland in the last century has much in common with the story of peanuts in Senegal.

The solution to the problem is not more American or multi-lateral food or economic aid. As I'll explain in my next column, foreign aid is distributed and controlled by the same governments that conspire with the multi-nationals. They use the aid to enrich themselves, not to help the rural population.

Many people who understand the problems caused by neocolonialism argue that progressives ought to support Communist revolutions in the third world, as the only way to break the hold of multi-national export agriculture. They look to Cuba, and point out that even though Cuba is a totalitarian nation, and even though the Cuban economy is hopelessly stagnant, and even though Cuba is more dependent on sugar exports than ever, at least Castro has measurably raised the standard of living of Cuba's poorest.

Unfortunately, most Communist governments have imposed Castro's costs on their nations, without reaping even Castro's limited gains.

Ethiopia's Marxist government took power in a coup partly caused by Haile Selassie's refusal to reform the feudal land tenure system, and his inability to deal with a famine. But the Marxist "land reform" did not mean giving land to the people, but taking land for the state. Soviet-style collective farms have ruined the farm economy, and contributed to the worst famine ever. Meanwhile the government, which spends 41% of the GNP on the military, concealed the famine from the world so as not to mar the 100 million dollar celebration of the tenth anniversary of the revolution.

In China, Mao Zedong led a revolution of peasants who felt aggrieved by the 2:1 ratio of urban to rural income. According to Fox Butterfield's Alive in the Bitter Sea Mao ended up increasing the urban-rural ratio to 5:1. Just as Stalin and Lenin turned the fertile Ukraine into a food importer, Mao and his gang turned Sichuan province, the "rice basket" of China, into a province that had to import food to feed its own people.

The cause of world hunger is the concentration of economic and political power in the hands of local urban and rural elites and their multi-national allies. Communist revolution merely replaces one elite with a new, more efficiently repressive one. World hunger will persist until the rural population of the third world regains its rightful share of power; supporting this power shift should be the aim of American progressives.

In the short run, progressives can support private development groups like Oxfam whose projects help people empower themselves. In the longer run, progressives must lead a re-evaluation of American foreign policy.

In 1954, the CIA and American banana companies joined together to overthrow the democratic Arbenz government of Guatemala in order to block the land reform program. Progressives must inform themselves about and oppose such interventions. And when third world government take a genuine interest in the condition of the poor and in land reform—as Peru, Taiwan, South Korea, Kenya, and Nicaragua have, we should support their efforts. (Of course we should not stop from criticizing the human rights violations in either South Korea or Nicaragua.)

Part of the battle against world hunger must be fought in America. Americans must recognize the contribution of export agriculture to poverty and hunger. And Americans must help the rural population of the third world take power away from both right-wing and left-wing dictatorships.

Picozzi Testifies on 1983 Fire

From Page One

investigation and the contents of a letter Jalhalke was to send to Picozzi concerning the course of the investigation.

The Monday session ended with inquiries into the harrassment Picozzi underwent from other law students before the fire including being depicted as a cherub holding a machine gun in a poster on the Quad during Valentine's Day 1983 and having his room searched after a report that Picozzi was keeping a gun in his room. It was expected that Davis would finish his questioning of Picozzi early Tuesday and then move on to other UM witnesses.

THE MONDAY SESSION began with opening statements by Davis and Picozzi attorney Alan Silber. Davis emphasized that the hearing was not an arson prosecution, but only a due process hearing and so issues of intent or state of mind would be irrelevant. Davis said that theUniversitycontends that Picozzi set the fire in his room in order to demonstrate to the law school that he was so harrassed by his fellow students that he should be allowed to transfer to another school. Davis stated that police and fire investigators will testify that Picozzi alone could have set that fire. "No other student had motive or opportunity."

Silber's opening statement emphasized the fact that police were never able to find a container which might have contained gasoline in Picozzi's room and that no gasoline was found on Picozzi's jeans and boots. Silber stated that analysis of the pour pattern of gasoline in Picozzi's room by an arson expert will prove that the gasoline could only have come from outside of Picozzi's room. Silber stated that a subtle prejudice pervaded the investigation of the case by the University.

Testimony is expected to continue in the case through the week with evening sessions being added if necessary to wrap up the hearing by Friday.

Married Law Students Harried But Happy

By Bob Hafner

Look to your left. Look to your right. One of your neighbors may be married. Many law students are.

Most married law students interviewed married either just before or during law school. What would cause people going through the intensity of law school to add to the complexity of their lives? Many seemed to think it was the time in the relationship to get married. The specific reasons vary: "The time was just about right, and the alternatives weren't so hot." "Because we wanted to go to school together!" "It's hard to maintain a strong emotional bond without commitment or living together." One student is from a conservative area where 'visiting' is not appreciated. One very practical reason was to marry so the Canadian fiancee could stay in the States and work.

Being married adds responsibilities that most single students do not face. Sheryl Moody, a second-year with two children, juggles law school and married life and feels 'there isn't as much time as I'd like to put into either.' She feels weird thinking to herself, 'Who else has to go to Girl Scout meetings the night before a final?'

In fact, she will spend the weekend after classes this term camping with 26 girl scouts. All of the married students have another set of pressures and questions to face. There are financial concerns, when to start a family, and many time problems.

Time is one problem that all couples have dealt with somehow. They balance seeing and being with each other against the need for studying. Tim Shaffer and his wife, Terri, found it very difficult his first year to find time together because she was getting her Masters degree. Terri now works in Hutchins Hall so they come in together every morning. They get together for lunches whenever possible and Tim goes home with her at 5:00 p.m.—usually to forget about law school until the next morning. Ken Zichi's wife, Paula, is a medical student with even greater time demands. They usually get to see each other evenings, which 'does cut down on a social life a lot." Some other married students also mentioned not having a normal law school social life.

Obviously marriage has its plusses. For the Franks, it means no more 384 mile round-trips to and from OSU each weekend. They also "feel it makes law school less important." One student appreciates the increased independence from his family. Moody has learned to study with distractions. "When you can study through the Smurfs," she says, "you've got it licked." She likes having other things to take up her time; her married life has stopped her "from becoming too compulsive" a law student. And her ability to juggle so much so well helped her during interviews; law firms seemed to like her 'juggling' ability.

Most married students appreciate the ability to leave law school and law behind. John Baker says, "It's good to talk to a normal human being." Moody feels it is good to talk to her kids or have her husband say, "No more law." The Franks try to keep law out of life outside of school hours. They all feel that being married helps to keep law school in perspective—it is important and difficult, but it is not all-consuming or the most important thing in their lives.

Senate Splits Offices

From Page One

tative Mike Kenyon cited the social and cultural needs of groups like BLSA, HLSA, and WLSA. Senate President Jim Lancaster pointed out that these groups also had the smaller offices but had some of the larger memberships among the student groups.

Groups like the NLG and ELS were each recognized as needing the visibility and accessibility of basement offices because of ongoing clinic projects that bring non-law students to their offices. The Senators were also quick to recognize the problems that unnecessary moving of offices could cause, and gave a great amount of weight to the current use of office space. Board of Governors representative Knute Rife said "You have to make a pretty damn good case before we'll take something away from someone else."

While many of the Senators expressed realpolitik notions of accomplishing the reallocation with the least amount of resentment among the groups as possible, second-year rep Rory Perry and first-year rep Reggie Turner expressed dismay with the way the status quo was simply being accepted. Perry asked, "How about some explanation of why some groups have to share instead of others?" Turner agreed, saying, "JLSU has privacy concerns just like HLSA and BLSA. How do we justify letting those groups have their own offices and making JLSU share?"

Secretary Hard and second-year rep Margaret Imber both expressed the sentiment that it would be easier for the two newcomers to share an office than to have each of them intrude on what had been previously defined as some other group's space. Imber stated, "We don't want to have any 'turf wars'. It's easier to establish sharing if you haven't had all the space to yourself before."

The Senate also resolved to make these decisions tentative, with a final vote to be taken at the next meeting on March 4. Any affected group was invited to voice its concerns at that meeting.

Notices

JLSU IS PRESENTING The Pawnbroker, a film by Sidney Lumet, Wednesday 2/20 at 8 p.m. in 116 HH. Admission $2.00

AWARDS NOMINATIONS—Nominations for **The Jane L. Mixer Memorial Awards, Irving Stenn Jr. Merit Award and Southfield Bar Association Award are due.** The nominating statement should be addressed to the Awards Committee and must be submitted to Mickey Slayton, 307 Hutchins Hall, no later than February 22, 1985.

ALTERNATIVE PRACTICE CONFERENCE—The Spring version of the Alternative Practice Conference is scheduled for Friday, March 8 and Saturday, March 9. Save these dates! If you have suggestions for topics to be covered or speakers, please let us know.

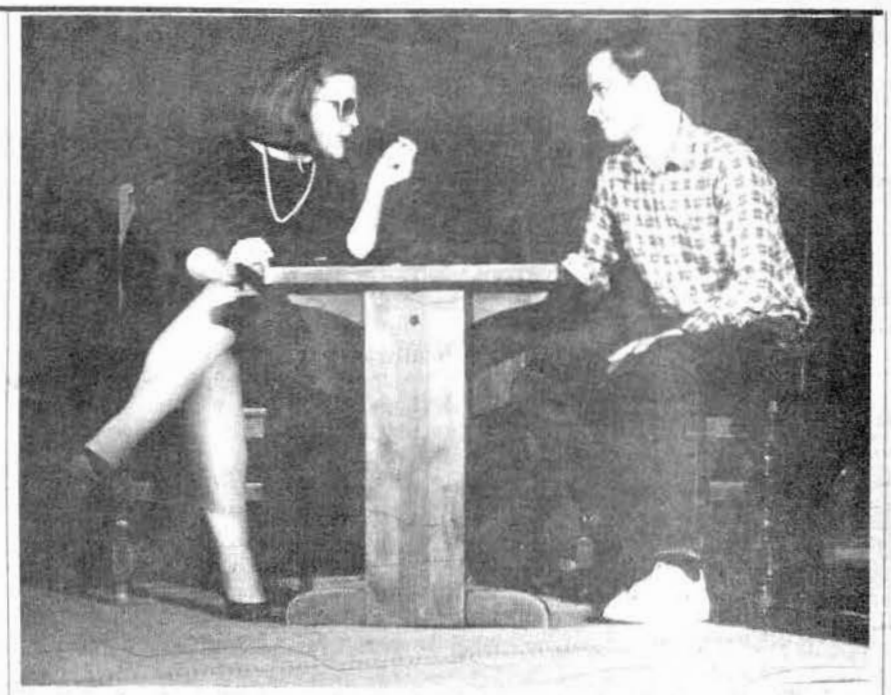
FINANCIAL AID The deadline to submit PLUS Loan applications for the 1984-85 academic year is March 1, 1985. Standard Student Budget sheets are available now for the 1985-86 academic year. Pick one up in 409 Hutchins Hall.

A-V Aide needed — the law school is in immediate and pressing need of an A-V aide. Please contact Henrietta Slote, 316 Hutchins, 3-1030.

HEAR YE, HEAR YE. Drop thy loathesome drudgery and prepare for a night of revelry and gaiety. On this the 30th day of March, 1985 A.D. **HLSA WOULD LIKE** to thank all those who contributed to the bake sale we sponsored for aid to Ethiopia. We will be contributing the proceeds of the sale, close to $100.00, to the World Church Services.

Arts

Obiter's "Anatomy" Kudos & Questions



Leah Murch as Laura Manion explains the details of a rape to Rand Tucker as Paul Biegler in "Anatomy of a Murder".

Photo By Tom Morris

By Jim Komie

Amateur theater is a lot like little league baseball, only it takes two and one half hours and you don't get any sun. What I mean is if your younger brother is the shortshop or a friend of yours is in the play, then you'll have a great time. But otherwise. . . stay clear.

Fortunately, I had reasons aside from critical duty to see Anatomy of a Murder, and I quite enjoyed the play. For a cast of amateurs, the performance was flawless. In the lead role, Rand Tucker was properly Jimmy Stewartesque, drawing his character in broad strokes. His declamatory manner, a bit out of place in Act One, struck me as perfect for the grandstanding of the courtroom scenes.

The rest of the cast was also quite good. Laura Kelsey Rhodes seriously should consider applying her dramatic experience as prosecutor to the practice of law—she seems a formidable litigator. Joe Ahmad, as a northwoods bumpkin, displayed a knack for physical comedy, especially with his uncomfortable, shuffling walk. And, finally, George Tzanetopoulos was perfect as the detective sergeant. Not a large part, but played so well that Mr. Tzanetopoulos would not have seemed out of place in a professional production.

As for the direction, I have a few complaints. The perspective of the audience should remain constant. In Act One, we were secret observers, like flies on a wall. In Act Two, Mr. Taber stuck us in the jury box, which was ineffective and confusing. Anatomy of a Murder does not ask the audience to sift through the facts and make a judgment. It's not an Agatha Christie play. The enjoyment Anatomy of a Murder offers lies in rooting for the defense attorney, Paul Biegler, and that demands the secret observer perspective.

I also sensed a heavy hand in coaching the performers. The characters with small parts were much better than those with large. It seems that they were allowed merely to recite their lines in a natural manner, whereas when the director demanded that the actor or actress try to portray a character, we wound up with more of a caricature.

But, then, there wasn't much to work with. Though intimately connected with the law and with Michigan (it's set in the Upper Peninsula), I seriously question the choice of play. The language was pedestrian, the character unimaginative, and the plot below the level of the average television detective show. Not guilty? What a surprise! Additionally, the final line of the second act—"Congratulations, you finally got the lady laid!"—is offensive beyond all bounds. This is hardly a way to refer to rape.

What I missed most in Anatomy of a Murder was a sense of identification with the lead character that could make the audience care about the verdict. Holden Caulfield put it best: "What really knocks me out is a book that when you're all done reading it, you wish the author that wrote it was a terrific friend of yours and you could call him up on the phone whenever you felt like it." I feel the same way about characters in movies and plays. But if you see Paul Biegler, tell him not to wait for my call.

A Challenge to J. J. White

By Len Nerve

YO, J.J. (by the way, you don't mind that I call you "J.J." do you?—while I understand that most of you professors don't appreciate the least bit of "familiarity" with your students—I once saw Yale Kamisar run down the hall in terror when a first-year had the gall to say "hello" to him in passing—I don't want J.B. or Trish to think this challenge is for them. Wouldn't want to raise *their* paranoia level unnecessarily, no?)

J.J., I first wanted to let you know that all of us in Professor Martin's Commercial Transactions class appreciated you taking the time to substitute for Professor Martin last Friday. Your presence reinforced the realization that it *is* entirely plausable that otherwise sane adults would fight to the death over who gets priority in a security interest for a bunch of dead cows. But anyway, on to the purpose of this letter.

Right after class, I was hanging out on Sub-2, attempting to empty my emergency bottle of Jack Daniels, when I noticed my old buddy Sam Emerald (a pseudonym—but then again, I never was any good at making up pseudonyms) browsing through the latest Supreme Court slip opinions, looking for any new opinions by Justice (Byron) White. Sam looked a little down in the dumps—he certainly wasn't his normally cheerful self—so I staggered over and asked what was the matter.

"OH, GEE whiz, I've never been so humiliated in my life! Imagine J.J. calling on me and forcing me to admit that I didn't know the answer to his question! Oh, the shame of it!" Sam blubbered.

"Now take it easy, Sam, old buddy. Everybody has a bad day now and again. In fact, I'll bet that nobody held it against you when you didn't know the applicable section of the 1898 Bankruptcy Act. After all, nobody else in the class had the faintest clue what was going on, either. Remember, Sam, all the rest of us thought we only had to know about Article 9 of the U.C.C.—the Bankruptcy Act wasn't even in the book."

"Yeah, I know—but this was the first time in nearly three years that I couldn't outsmart the professor! Remember last year in E.O., when I showed Rosenzweig sections of the Delaware Corporate Code that he didn't even know existed? Now *that* was the old Sam Emerald at his peak! Alas, I fear that the rest of the student body thinks my powers have diminished! What J.J. did really wasn't fair—he didn't tell anybody that we would be responsible for the superseded Bankruptcy Code in Comm. Trans. If only I could have a rematch with J.J.! I'd show him that I'm no dummy!"

Thus my modest proposal, J.J. old pal: C'mon back to Professor Martin's Comm. Trans. class for another one of your thrilling substitute lectures, so Sam can have a rematch with you. The rest of the students in the class realize that you were just showing off, and that you were deliberately trying to prove to us mere mortal students how dumb we all are in comparison with your shining brilliance.

But Sam is different. He's taking it personally. He's not like the other eight people you humiliated during the one-hour Socratic purgatory you ran last Wednesday. They all realize that you were using the opportunity to teach Martin's class for one day as a chance to blow some fuses in students' minds, and that you really expect the vast majority of the people in the class to be able to understand you lecture or answer your questions. After all, what serious Professor would legitimately ask a German student to name the capitol of *Texas,* for God's sake? (By the way, R.G. readers, he got the answer right—stunned the hell out of J.J.)

WHADDA YOU say, J.J.?—we could make it double or nothing. If Sam wins the rematch, you would have to re-explain all the stuff we were supposed to have learned last Friday. Except this time, you would have to do it in language that mere law students could hope to comprehend. And if you win, we will have you appointed "George S. Patton Kick-Ass Professor of Law" for life.

Of course, if you choose to decline this little offer, I sincerely hope that you will consider refraining from using requests to teach substitute classes as an opportunity to massage your ego by reaffirming that you still know more than the people you're teaching—even Sam. I have it on good authority that you don't teach your regular classes that way—so why ruin those of a colleague who asked you to fill in when he was away? As it is, Martin will probably have to recapitulate the two cases that we were supposed to learn if he wants anybody in the class to understand what the hell they stand for.

Now, please understand, this letter isn't a plea for the faculty to spoon-feed the law to the students (otherwise, St. Antoine's classes would be even more popular than they are already). We really *are* capable of following and participating in a reasonable Socratic dialogue. But for heaven's sake, would you please recall that we're learning this stuff for the first time, while more often than not the faculty member teaching the class literally "wrote the book?"

If "Sam" isn't able to follow what's going on, perhaps that should have been a signal to slow down, just a little. Of course, knowing that you had only one day to impress the students in Martin's class with your superior wisdom may have led to your conscious disregard of this little common-sense fact. Professor White, your performance last Friday was merely another blatant example of "abuse of the teaching process" as it occurs at Michigan Law School with all too much regularity—but we hope that others might also learn from it, as well.

—Len Nerve is a pseudonym